

CERTIFICATION AND REPORT OF
F.R.C.P. 26(f) CONFERENCE
AND DISCOVERY PLAN

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3. Discovery Plan. The parties jointly propose to the court the following discovery plan: *[Use separate paragraphs or subparagraphs as necessary if parties disagree.]*

a) All discovery shall be commenced in time to be completed by March 29, 2024 (date).

[if needed] Discovery on _____

_____ (identify any issues requiring early discovery) will be completed by _____ (date).

b) Discovery Limits:

- 1) Maximum of 30 (ordinarily 20) interrogatories by each party to any other party .
- 2) Maximum of 20 (ordinarily 20) requests for admission by each party
- 3) Maximum of 6 depositions by plaintiff(s) and 6 by defendant(s) (ordinarily 6 each) [or ____ by each plaintiff and ____ by each defendant].

c) Reports from retained experts under Rule 26(a)(2) will be due:

- from plaintiff(s) by January 15, 2024 (date)
- from defendant(s) by February 15, 2024 (date)

Supplementations under Rule 26(e) due pursuant to Rule 26(e) (list time(s) or interval(s))

4. Other Items. *[Attach separate paragraphs as necessary if parties disagree.]*

a) The parties ☐ request ☒ do not request a conference with the court before entry of the scheduling order.

b) All potentially dispositive motions should be filed by April 26, 2024 (date, ordinarily one month after the close of discovery)

c) Settlement:

☐ is likely

☐ is unlikely

☐ cannot be evaluated prior to _____ (date)

☒ may be enhanced by use of the following ADR procedure:

☒ Mediated Settlement

Conference ☐ binding arbitration

☐ judicial settlement conference

☐ other _____

The parties agree that the above selected ADR procedure would be most useful if conducted:

- ☐ after resolution of any outstanding dispositive motions, but prior to further discovery;
- ☒ after an initial round of preliminary discovery to be completed by December 15, 2023 (date);
- ☐ after the completion of discovery;
- ☐ after resolution of summary judgment motions, if any
- ☐ not applicable.

- d) Final lists of witnesses and exhibits under Rule 26(a)(3) are due:
from plaintiff(s) by 60 days before trial (date)
from defendant(s) by 60 days before trial (date)
- e) If the case is ultimately tried, trial is expected to take approximately 5 days.
- f) ☒ The parties have discussed the issue of consent to the jurisdiction of a U.S. magistrate judge.

5. Please identify any other matters regarding discovery or case management which may require the Court's attention (e.g., concerns re: confidentiality, protective orders, etc., unmovable scheduling conflicts)

Deadline for moving for class certification is December 15. Defendant has 30 days to respond to motion for class certification and Plaintiff has 14 days to rebut

DocuSigned by:
Christopher Roberts 6/30/2023
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Plaintiff's Counsel Party Date

Plaintiff's Counsel Party Date

Plaintiff's Counsel Party Date

Plaintiff's Counsel Party Date

Plaintiff's Counsel Party Date

DocuSigned by:
Elizabeth Zinn 6/30/2023
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Defendant's Counsel Planet Automotive Group LLC Party Date

DocuSigned by:
Elizabeth Zinn 6/30/2023
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Defendant's Counsel Planet Automotive Group Hickory LLC Party Date

Defendant's Counsel Party Date

Defendant's Counsel Party Date

Defendant's Counsel Party Date

(attach additional sheets if necessary)